

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

THE GENERAL CONVENTION OF THE NEW)
JERUSALEM IN THE UNITED STATES OF)
AMERICA, INC., THE MASSACHUSETTS)
ASSOCIATION OF THE NEW JERUSALEM)
(SWEDENBORGIAN) and GEORGE CHAPIN,)

Plaintiffs,)

v.)

C.A. No. 04 10419 WGY

EDWARD MACKENZIE, THOMAS KENNEDY,)
BOSTON SOCIETY OF THE NEW JERUSALEM)
INCORPORATED (SWEDENBORGIAN) and)
BOSTONVIEW CORPORATION,)

Defendants.)

**DEFENDANTS' EMERGENCY MOTION FOR PROTECTIVE ORDER STAYING
DISCOVERY PENDING DECISION ON RENEWED MOTIONS TO DISMISS**

Pursuant to Rule 26(c) of the Federal Rules of Civil Procedure, and for the reasons stated in the accompanying memorandum of law, the Defendants, Boston Society of the New Jerusalem, Incorporated, Bostonview Corporation, Edward MacKenzie and Thomas Kennedy ("the Defendants"), hereby move that this Court issue a protective order staying all discovery in this action pending this Court's decision on the Defendants' Renewed Motions To Dismiss filed herewith.

WHEREFORE, the Defendants respectively pray that this Court issue a protective order staying all discovery in this action pending this Court's decision on the Defendants' Renewed Motions To Dismiss.

BOSTON SOCIETY OF THE NEW
JERUSALEM, INCORPORATED and
BOSTONVIEW CORPORATION,
Defendants.

By their attorneys,

/s/ Richard J. McCarthy

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EDWARD MACKENZIE and
THOMAS KENNEDY,
Defendants.

By their attorneys,

/s/ Nicholas B. Carter

Howard M. Cooper (BBO #543842)
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Dated: Boston, MA
June 14, 2004

Local Rules 7.1 and 37.1 Certification

On June 14, 2004, in a good faith attempt to narrow the areas of disagreement between the parties regarding the issues in this Motion, the undersigned contacted Plaintiffs' counsel, Christopher J. Trombetta, by telephone and asked him to defer all discovery until after this Court's decision on the Defendants' Renewed Motion To Dismiss. Mr. Trombetta declined this request without further discussions after review of the Consent Judgment in Commonwealth v. Kennedy et al., Suffolk Superior Court Civil Actions No. 03-5408A and 04-2597.

/s/ Nicholas Rosenberg

Nicholas Rosenberg (BBO #657887)